

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHDE030235WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/IB2004/051020	International filing date (<i>day/month/year</i>) 28 June 2004 (28.06.2004)	Priority date (<i>day/month/year</i>) 08 July 2003 (08.07.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant PHILIPS INTELLECTUAL PROPERTY & STANDARDS GMBH		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	<p>This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 20%;">Box No. I</td> <td style="width: 70%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input checked="" type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

<p style="text-align: center;">The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 740 14 35</p>	<p>Date of issuance of this report 09 January 2006 (09.01.2006)</p> <p>Authorized officer Idhir Britel</p> <p>Telephone No. +41 22 338 70 60</p>
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 30 SEP 2004

PCT WIPO PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/IB2004/051020

International filing date (day/month/year)
28.06.2004

Priority date (day/month/year)
08.07.2003

International Patent Classification (IPC) or both national classification and IPC
H04L12/28

Applicant
PHILIPS INTELLECTUAL PROPERTY & STANDARDS...

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051020

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051020

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IB2004/051020

Cited Documents

1. Reference is made to the following documents:

D1: US-A1-2003/0054818

D2: XP-A-002294853 (User Guide WPG11 Instant Wireless™ Series)

Re Item V

Reasoned statement under Rule 43bis 1 (a) (I) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

A. Novelty / Inventive Step (Article 33 PCT):

A.1 re independent Claim 1:

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1 and shows a dual-mode WLAN device that operates concurrently as a member of two disjoint wireless networks (ad-hoc mode and infrastructure mode). This feature (*D1, figure 2, IS/AH dual mode 220*) enables the wireless device to interwork with a corporate network via an access point e.g. for using network resources like printers as long as the device has the permission to access the network. On the other hand, that sort of dual-mode device is able to communicate with ad-hoc mode devices which do not have any permission to access the corporate network (*D1, paragraphs 0004-0007, 0027, 0029-0031*).

The subject-matter of claim 1 differs from the disclosure of D1 in that the claimed system defines explicitly, that a mobile device initiates an ad-hoc session to a image-showing device and subsequently conveys further communication via a network, if both parties have access to that network. This implicitly discloses the fact, that both devices have dual-mode capabilities, whereas D1 only defines a dual-mode device either interacting with a network using infrastructure mode or with another common WLAN device using ad-hoc mode.

The subject-matter of **claim 1** is therefore **new** (Article 33(2) PCT).

Document D2 shows a presentation gateway with WLAN connectivity which can be configured manually either to work in the ad-hoc-mode or in the infrastructure mode (D2, "connect to the ...presentation gateway...via infrastructure mode or from any 802.11b wireless PC", chapter 1, Introduction; "Ad-hoc versus Infrastructure Mode", Appendix A). No indication is given to change settings in the running mode, i.e. from ad-hoc mode to infrastructure mode.

The proposed solution as defined by independent claim 1 of this application is not taught, suggested or derivable by the available prior art documents D1 and D2 in combination. **An inventive step is thus recognized for the independent claim 1 (Article 33(3) PCT).**

A.2 re independent **Claim 7**:

The subject-matter of independent **method claim 7** corresponds to that of independent system claim 1 in terms of process steps. For the reasons set out in the previous subsection, the **subject-matter** of said **claim is new** (Article 33 PCT) and **involve an inventive step** (Article 33 (2) and (3) PCT).

A.3 re dependent **Claims 2-6 and 8-10**:

Dependent claims as such also meets the requirements of the PCT with respect to novelty and inventive step.

B. Further deficiencies/ defects:

B.1 Deficiencies with respect to clarity (Article 6 PCT):

B.1.1 **Claims 1, 7**

Claim 1 is unclear, Article 6 PCT, because it defines:

"... to convey **the further communication** over a network..."

It is to be noted, that "a communication" is not defined beforehand in the claim. Furthermore it is not clear, whether the term "**communication**" relates to signalling traffic between the image-showing device and the mobile device (e.g.

requesting the projector to change into infrastructure mode (see description, page 8, lines 18-21) or user traffic like a slide presentation (e.g. PPT™).

The same objection occurs for claim 7 ("...changing **the communication**...").

B.1.2 Claim 1, 7

Claim 1 does not meet the requirement following from Article 6 PCT taken in combination with Rule 6.3(b) PCT that any independent claim must contain all the technical features essential to the definition of the invention.

Claim 1 defines:

"... to show a presentation controlled by the mobile device"

It is clear from the description (page 9, lines 1-8) that this presentation has to be conveyed via the network, if one is accessible to both, the image-showing device and the mobile device. This is not properly reflected in the definition given above.

The same objection occurs for claim 7.

B.1.3 Claims 1, 7

Independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).